



STATE REPRESENTATIVE
JOSEPH PARISI

WISCONSIN STATE ASSEMBLY

48th DISTRICT

TO: SENATE COMMITTEE ON JUDICIARY, CORRECTIONS, INSURANCE, CAMPAIGN
FINANCE REFORM, AND HOUSING
FROM: REPRESENTATIVE JOE PARISI
RE: SUPPORT FOR SB 329
DATE: DECEMBER 1, 2009

Chairwoman Taylor and members of the committee, thank you for holding a hearing on SB 329, which would increase the maximum court fee in municipal court actions from 28 to 38 dollars when the court finds that a person has violated an ordinance. Under current law, the municipal treasurer forwards \$5 to the Department of Administration and retains the balance for use by the municipality. This would not be changed by SB 329. I am very pleased to coauthor this bill with Chairwoman Taylor.

The last time that the maximum fee amount was changed was in 2005. The permissive fee increase proposed by SB 329 is necessary because some municipalities need more flexibility to ensure that they can adequately fund their municipal courts. In addition, this permissive increase will help mitigate the concerns that some municipalities have expressed regarding perceived increased costs that might be associated as a result of the proposed changes to municipal courts contained in SB 383. Municipalities who do not want to increase their current fees will be under no obligation to do so.

SB 329 is a very modest proposal that will not increase any costs for municipalities or taxpayers—only parties found to be in violation of an ordinance will pay the fee. Even if a municipal court elects to implement this modest increase, municipal courts will remain an accessible legal venue for Wisconsinites, especially in comparison to circuit courts. For example, even with the proposed 10 dollar increase, the average speeding ticket would cost \$98 in municipal court and \$160 in circuit court.

Legislation authored by Sen. Taylor and Rep. Grigsby that was passed earlier this session will also ensure that any potential fee increase will not unduly burden indigent defendants. 2009 WI Act 17 requires that indigent defendants have the opportunity to arrange for an installment plan for the payment of any court judgments or fees to ensure that they do not face driver's license revocation or imprisonment for the failure to pay.

SB 329 is a reasonable proposal that provides municipalities with some much needed financial flexibility during a time of increasing financial difficulties for local governments. I ask that you please join me and support SB 329.